

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2866 - SB 2784**

March 16, 2022

**SUMMARY OF BILL:** Increases from \$1,000 to \$2,000, the amount of a civil penalty per violation that a court assesses against an individual or corporation found in violation of the Consumer Telemarketing Protection Act of 1990 (CTPA).

**FISCAL IMPACT:**

**Other Fiscal Impact – Any increase to state revenue due to an increase in the civil penalty cannot be reasonably determined.**

Assumptions:

- Pursuant to Tenn. Code Ann. 47-18-1510:
  - A court shall assess a civil penalty in the amount of \$1,000 for each call made in violation of the CTPA.
  - Any civil penalty collected shall be paid into the General Fund.
- It is unknown how many civil actions will result in a civil penalty assessed against the offending party; therefore, any increase to state revenue cannot be reasonably determined.
- The proposed legislation is not expected to result in an increase to the number of court cases; therefore, any impact to the court system is estimated to be not significant.

**IMPACT TO COMMERCE:**

**Other Commerce Impact – The extent and timing of any increase to business expenditures cannot reasonably be determined.**

Assumptions:

- The proposed legislation would increase the amount of a civil penalty assessed against an offending telemarketer.
- The extent and timing of any increase to business expenditures due to the payment of penalties cannot reasonably be determined due unknown factors such as the number of violations each business will incur, the number of civil actions that will be brought, and the number of businesses that will elect not to pay the penalty.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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